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**JUL 25 2007**

**OFFICE OF PETITIONS**

WIESNER & ASSOCIATES  
366 CAMBRIDGE AVENUE  
PALO ALTO, CA 94301

In re Application of :  
William B. Sweet, et al. :  
Application No. 09/930,029 : **ON PETITION**  
Filed: August 14, 2001 :  
Attorney Docket No. 00131-000100000 :

This is a decision on the petition, filed April 10, 2007, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is **GRANTED**.

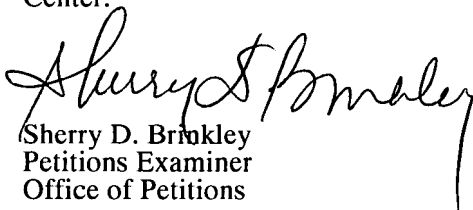
The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, September 1, 2006, which set a shortened statutory period for reply of three (3) months. No timely extension of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the application became abandoned on December 1, 2006. It is noted that on March 6, 2007, applicant submitted an amendment, including a 5-month extension of time. Thereafter, on April 10, 2007, the present petition was filed.

Applicant is reminded that extensions of time under 37 CFR 1.136 are available only if asked for prior to or with the response. In no case, however, may an applicant respond later than the maximum time period set by statute. In this case, March 1, 2007. Therefore, if the question of abandonment arises when the provisions of 37 CFR 1.136 can no longer be used, then the application is abandoned when the unextended time for response has expired, i.e., December 1, 2006. Therefore, the 5-month extension of time submitted on March 6, 2007 is untimely and will be credited to counsel's deposit account.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of the amendment on March 6, 2007; (2) the petition fee of \$750; and (3) the required statement of unintentional delay.

The application file is being forwarded to Technology Center AU 2137 for consideration of the amendment filed March 6, 2007.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries regarding this application should be directed to the Technology Center.

  
Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions